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REMARKS

Applicant respectfully requests reconsideration of this Patent Application, particularly in view of the above Amendment and the following remarks. No additional fee is required for this Amendment as the number of independent claims has not changed, and the total number of claims is less than originally filed.

Request for Telephone Interview

Applicant kindly requests the Examiner to contact the undersigned at (847) 490-1400 to schedule a telephone interview, to discuss the merits of this Patent Application.

Amendment to the Claims

Claim 1 has been amended to clarify that the centered hole (13) is through the bottom (11.4). Support for this Amendment can be found in Fig. 7. Claims 1- 3, 5, 6, 8, and 10 have been amended to clarify claim limitations and provide proper antecedent bases. New Claims 11 and 12 have been added and find support in original Claim 1, as well as throughout the Specification and figures. No new matter has been added to the claims by this Amendment.

Claim Rejections - 35 U.S.C. §103

The rejection of Claims 1-10 under 35 U.S.C. §103(a) as being unpatentable over Aizawa et al., U.S. Patent 5,249,447, in view of Pujol, U.S. Patent 4,722,127, and Stuard, U.S. Patent 3,741,142 (Stuard's Patent number taken from form PTO-892), is respectfully traversed.

The Aizawa et al. Patent is applied because it teaches creating a can by a multi-step deep-draw process. The can of the Aizawa et al. Patent is a thermoplastic coated seamless can. Applicant's claimed invention includes a deep-drawing operation, but is ultimately different from the method of the Aizawa et al. Patent, particularly because Applicants' claimed invention is a method of forming a different product (i.e., an exhaust cover) than the seamless can of the Aizawa et al. Patent.

Applicant has amended Claim 1 to clarify that the hole is punched through the beaker. The Office Action alleges the Aizawa et al. Patent has a punched hole, as evidenced by the cup 30 being punched by redrawing punch 24, as shown in FIG. 3. However, what is actually shown in FIG. 3 is an intermediate step of one of the deep-drawing processes. Furthermore, the cup 30 is not, nor does it contain a hole therethrough.

As the Aizawa et al. Patent does not teach punching a hole in the can (and doing so would render the Aizawa can inoperable as a seamless can), the prior

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art combination does not provide all claim limitations of amended Claim 1 (or new Claims 11 and 12). Neither of the secondary references teach or suggest punching a hole in the seamless can of the Aizawa et al. Patent to form an end of a motor vehicle exhaust pipe, as in Applicant's claimed invention.

Furthermore, one of ordinary skill in the art of forming deep-drawn cans would have no reason to provide the can of the Aizawa et al. Patent with a drain hole (particularly an air conditioning system drain hole) or a fastening hole. Such holes have no suitable purpose in the seamless can of the Aizawa et al. Patent, and would render the can unsuitable for its intended purpose of holding materials, such as fluids.

Also, the crimping taught by the Stuard Patent is the crimping of a separate lid portion onto a body portion. The arc-shaped portion of the lid in the Stuard Patent is not an analogous element to what is being crimped in Applicant's claimed invention. The figures in the Stuard Patent illustrate that the end that is analogous to Applicant's beaker end is not curved at all. The Stuard Patent, alone or in the alleged combination, does not disclose or suggest bending a rim around a hole and subsequently crimping toward the inside surface of the shell to form an end shaped as an arc of a circle. Again, the Stuard Patent crimps one part onto another part, and this is not what is recited in Applicant's claimed invention.

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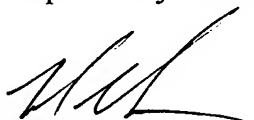
In view of the above comments, favorable reconsideration and withdrawal of this rejection are respectfully traversed.

Conclusion

Applicant intends to be fully responsive to the outstanding Office Action. If the Examiner detects any issue which the Examiner believes Applicant has not addressed or resolved in this response, the undersigned attorney again requests a telephone interview with the Examiner.

Applicant sincerely believes that this Patent Application is now in condition for allowance and, thus, respectfully requests early allowance.

Respectfully submitted,



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